



To: Senate Regulatory Reform Committee Members

From: Michigan Retailers Association

Re: House Bill 5660

Date: June 5, 2012

Michigan Retailers Association urges support of House Bill 5660, which would exclude pouch containers from the Michigan Beverage Container Law.

The Michigan Department of Treasury recently issued a draft interpretative statement that would include flexible pouches in the Beverage Container Law's definition of "beverage container." This expansion would create a substantial hardship for retailers and flexible pouch manufacturers.

Retailers are not equipped to accept returns of pouches. No existing technology like the reverse vending machines used for cans, plastic bottles, and glass bottles can accurately identify and recycle the flexible pouch containers. Retailers would also need to hire additional staff or change an existing employee's duties in order to monitor and accept returns of the flexible pouches.

The Beverage Container Law states that any item with a deposit cannot be placed in a landfill. Without the technology necessary to return or dispose of these items, retailers will be forced to store containers in already limited spaces. Retailers have concerns that with a lack of reverse vending machine technology available, the required storage of dirty products in clean stores may make it difficult to maintain high, food safety standards.

Treasury has limited authority under the Beverage Container Law and it is exceeding its authority by adding new meaning to the law's statutory definitions. Thus, legislation is essential to neutralize Treasury's draft interpretative statement. On behalf of our over 12,000 storefronts we urge support for HB 5660 to prevent the unauthorized expansion of Michigan's Beverage Container Law.

Thank you,

A handwritten signature in black ink, appearing to read 'William J. Hallan'.

William J. Hallan

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